

AGENDA

Board of Directors Meeting

March 3, 2010

Start Time: 9:30 a.m.

LOCATION

**San Bernardino Associated Governments
Santa Fe Depot - SANBAG Lobby 1st Floor
1170 W. 3rd Street, San Bernardino, CA**

Board of Directors

President

Paul Eaton, Mayor
City of Montclair

Vice-President

Brad Mitzelfelt, Supervisor
County of San Bernardino

Charley Glasper, Mayor
City of Adelanto

Rick Roelle, Mayor
Town of Apple Valley

Julie McIntyre, Mayor Pro Tem
City of Barstow

Bill Jahn, Mayor Pro Tem
City of Big Bear Lake

Dennis Yates, Mayor
City of Chino

Ed Graham, Vice Mayor
City of Chino Hills

Kelly Chastain, Mayor
City of Colton

Mark Nuaimi, Mayor
City of Fontana

Bea Cortes, Council Member
City of Grand Terrace

Mike Leonard, Council Member
City of Hesperia

Larry McCallon, Council Member
City of Highland

Rhodes "Dusty" Rigsby, Mayor Pro Tem
City of Loma Linda

Jeff Williams, Mayor
City of Needles

Alan Wapner, Council Member
City of Ontario

Diane Williams, Council Member
City of Rancho Cucamonga

Patricia Gilbreath, Mayor
City of Redlands

Ed Scott, Council Member
City of Rialto

Patrick Morris, Mayor
City of San Bernardino

Jim Harris, Mayor Pro Tem
City of Twentynine Palms

John Pomierski, Mayor
City of Upland

Ryan McEachron, Council Member
City of Victorville

Richard Riddell, Mayor
City of Yucaipa

William Neeb, Council Member
Town of Yucca Valley

Gary Ovitt, Supervisor
County of San Bernardino

Paul Biane, Supervisor
County of San Bernardino

Neil Derry, Supervisor
County of San Bernardino

Josie Gonzales, Supervisor
County of San Bernardino

Ray Wolfe, Caltrans
Ex-Officio Member

Deborah Robinson Barmack
Executive Director

San Bernardino Associated Governments (SANBAG) is a council of governments formed in 1973 by joint powers agreement of the cities and the County of San Bernardino. SANBAG is governed by a Board of Directors consisting of a mayor or designated council member from each of the twenty-four cities in San Bernardino County and the five members of the San Bernardino County Board of Supervisors.

In addition to SANBAG, the composition of the SANBAG Board of Directors also serves as the governing board for several separate legal entities listed below:

The San Bernardino County Transportation Commission, which is responsible for short and long range transportation planning within San Bernardino County, including coordination and approval of all public mass transit service, approval of all capital development projects for public transit and highway projects, and determination of staging and scheduling of construction relative to all transportation improvement projects in the Transportation Improvement Program.

The San Bernardino County Transportation Authority, which is responsible for administration of the voter-approved half-cent transportation transactions and use tax levied in the County of San Bernardino.

The Service Authority for Freeway Emergencies, which is responsible for the administration and operation of a motorist aid system of call boxes on State freeways and highways within San Bernardino County.

The Congestion Management Agency, which analyzes the performance level of the regional transportation system in a manner which ensures consideration of the impacts from new development and promotes air quality through implementation of strategies in the adopted air quality plans.

As a Subregional Planning Agency, SANBAG represents the San Bernardino County subregion and assists the Southern California Association of Governments in carrying out its functions as the metropolitan planning organization. SANBAG performs studies and develops consensus relative to regional growth forecasts, regional transportation plans, and mobile source components of the air quality plans.

Items which appear on the monthly Board of Directors agenda are subjects of one or more of the listed legal authorities. For ease of understanding and timeliness, the agenda items for all of these entities are consolidated on one agenda. Documents contained in the agenda package are clearly marked with the appropriate legal entity.

**San Bernardino Associated Governments
County Transportation Commission
County Transportation Authority
County Congestion Management Agency
Service Authority for Freeway Emergencies**

Board of Directors

March 3, 2010

9:30 a.m.

Location:

**San Bernardino Associated Governments
Santa Fe Depot
SANBAG Lobby, 1st Floor
1170 W. 3rd Street, San Bernardino**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional meeting procedures and agenda explanations are attached to the end of this agenda.

Call to Order - 9:30 a.m. by Mayor Paul Eaton

- I Pledge of Allegiance
 - II. Attendance
 - III. Announcements:
 - Calendar of Events (Pg. 16)
 - IV. Agenda Notices/Modifications – Vicki Watson
1. **Possible Conflict of Interest Issues for the Board Meeting of March 3, 2010** Pg. 17

Note agenda item contractors, subcontractors and agents, which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

Consent Calendar

Items listed on the Consent Calendar are expected to be routine and non-controversial. These items have been discussed at SANBAG Policy Committee meetings and made available for public review as noted in the agenda. The Consent Calendar will be acted upon as a single motion. Items on the Consent Calendar may be removed for discussion by Board Member Request. Items pulled from the consent calendar will be brought up under Agenda Item 31.

Notes/Actions:

Consent Calendar Continued....

Administrative Matters

2. **Board of Directors Attendance Roster** Pg. 19
3. **January 2010 Procurement Report** Pg. 23
Receive Monthly Procurement Report. **William Stawarski**
This item was reviewed and received by the Administrative Committee on February 10, 2010
4. **Amendment to Purchase Order P10049 with Accountemps, Inc.** Pg. 25
1. Approve Amendment No. 1 to increase Purchase Order P10049 by \$49,000 for a total of \$94,000 with Accountemps Inc. for temporary accounting staff services; and
2. Extend the period of performance through June 2010.
William Stawarski
This item was reviewed by the Administrative Committee on February 10, 2010 and unanimously recommended for approval.

Subregional Trans. Planning & Programming

5. **SANBAG Subregional Travel Demand Forecasting Model Development** Pg. 27
Approve the release of Request for Proposals (RFP) No. 10194 for development of the San Bernardino County Transportation Analysis Model (SBTAM). **Ty Schuiling**
This agenda item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on February 17, 2010.

Program Support/Council of Govts.

6. **State Budget Impacts on Transportation and Ballot Initiative to Protect Transportation Funding** Pg. 36
Receive and file report on State budget impacts to transportation funding and the Local Taxpayer, Public Safety and Transportation Protection Act. **Deborah Barmack**
This item was reviewed by the Administrative Committee on February 10, 2010.

Consent Calendar Continued....**Project Development**

7. **Request for Proposals (RFP) for the preparation of Plans, Specifications, and Estimate (PS&E) for a new Sound Wall along State Route 60 (SR-60) in the City of Chino** Pg. 40

Authorize staff to release RFP No. 10-180 for the preparation of Plans, Specifications, and Estimate (PS&E) for a new Sound Wall along SR-60 in the City of Chino. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 11, 2010. SANBAG Counsel has reviewed and approved the draft RFQ package as to form.

8. **Plans and specifications approval, advertising approval, construction cooperative agreements, and design consultant contract amendment for the Interstate 10 (I-10) Westbound Lane Addition project** Pg. 49

1. Approve plans and specifications and authorize advertising for Construction Bids for the I-10 Westbound Lane Addition Project in the Cities of Yucaipa and Redlands and the ramp metering project for the Yucaipa Boulevard on-ramp to I-10 in the City of Yucaipa.

2. Approve construction cooperative agreement C10186 with Caltrans for the I-10 Westbound Lane Addition Project in the Cities of Yucaipa and Redlands.

3. Approve construction contribution cooperative agreement R10187 with Caltrans to incorporate ramp metering at the Yucaipa Boulevard on-ramp into the I-10 Westbound Lane Addition Project in the Cities of Yucaipa and Redlands utilizing a contribution of up to \$1 million in State Highway Operations and Protection Program (SHOPP) funding from Caltrans.

4. Approve Amendment No. 1 to Contract C08002 with CH2M Hill at no additional cost to extend the period of performance to March 8, 2012 for design support as needed through the construction phase of the I-10 Westbound Lane Addition Project.

5. Approve taking the recommendation for award of the construction contract directly to Board without prior committee approval. **Garry Cohoe**

This item was reviewed and recommended for approval by the Major Projects Committee (12-0-3; Abstained: Supervisor Derry, Supervisor Gonzales, and Supervisor Biane), on February 11, 2010. SANBAG Counsel has reviewed and approved the agreements as to form.

Consent Calendar Continued....

Project Development (Cont.)

9. **Property appraisals and offers for acquisition of easements necessary for the Hunts Lane and Union Pacific Railroad Company (UPRR) Grade Separation Project** Pg. 84

1. Approve appraisals for the nine (9) residential and/or common use properties in the cities of Colton and San Bernardino identified in Attachment "A", on which temporary construction, permanent roadway, and/or permanent aerial utility easements are to be acquired for construction of the Hunts Lane Grade Separation Project, and

2. Authorize staff to proceed with the acquisition of temporary construction and/or permanent roadway easements on the properties identified in Attachment "A" for construction of the Hunts Lane Grade Separation Project, in an aggregate amount not to exceed \$75,000, and

3. Authorize the Executive Director to act on behalf of SANBAG in signing offers to acquire the temporary construction and/or permanent roadway easements for the properties identified in Attachment "A" for construction of the Hunts Lane Grade Separation Project.
Garry Cohoe

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 11, 2010.

10. **Contract No. C05023 with David Evans and Associates, Inc. to provide Construction Management Services on State Route 210 (SR-210) Landscape Construction Projects for Segments 1-4** Pg. 88

Approve Amendment No. 1 to Contract No. C05023 with David Evans and Associates, Inc. in the amount of \$234,385, increasing the contract total amount from \$2,172,000 to \$2,406,385, and extending the completion date to December 31, 2011. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 11, 2010. SANBAG Counsel has reviewed and approved the subject amendment as to form.

11. **Request for Proposals (RFP) to provide Construction Management Services for Landscape Construction Projects along State Route 210 (SR-210) for Segments 8-11** Pg. 95

Authorize staff to release RFP No. 10183 to provide Construction Management Services for Landscape Construction Projects for Segments 8-11 along State Route 210 in the cities of Fontana, Rialto and San Bernardino. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 11, 2010. SANBAG Counsel has reviewed and approved the draft professional services agreement as to form.

Consent Calendar Continued....

Project Development (Cont.)

12. **Amendment No. 2 to Cooperative Agreement No. C07204 with Caltrans for Project Approval and Environmental Document (PA/ED) professional services for the Colton Crossing Grade Separation Project** Pg. 117

Approve Amendment No. 2 to Cooperative Agreement No. C07204 with Caltrans for PA/ED professional services for the Colton Crossing Grade Separation Project to extend the termination date of the agreement to June 30, 2011. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 11, 2010. SANBAG Counsel has reviewed and approved the amendment as to form.

13. **Amendment No. 1 to Contract No. C07024 with Harris & Associates to provide Construction Management Services on State Street/University Parkway Grade Separation Construction Project** Pg. 122

Approve Amendment No. 1 to Contract C07024 with Harris & Associates, extending the completion date to June 30, 2010 with no increase to contract amount. **This is a time extension amendment to an existing contract only. Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 11, 2010. SANBAG Legal Counsel has reviewed and approved the amendment as to form.

14. **Right of Way Cooperative Agreements with the County of San Bernardino and the City of Fontana for the Interstate-10 (I-10)/Cherry Avenue and Interstate-10/Citrus Avenue Interchange Projects** Pg. 126

1. Approve Right of Way Cooperative Agreement C10191 with the City of Fontana and the County of San Bernardino for the I-10/Cherry Avenue Interchange Right of Way Capital and Support costs for a contribution amount not to exceed \$3,646,000.

2. Approve Right of Way Cooperative Agreement C10192 with the City of Fontana and the County of San Bernardino for the I-10/Citrus Avenue Interchange Right of Way Capital and Support costs for a contribution amount not to exceed \$2,019,000. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 11, 2010. SANBAG Counsel has reviewed and approved the agreement as to form.

Consent Calendar Continued....

Project Development (Cont.)

15. **Construction Management, Construction Surveying and Materials Testing Services for North Milliken Grade Separation Project** Pg. 147

1. Approve a new Task Number 882 titled "North Milliken Avenue Grade Separation".

2. Ratify the Major Project Committee's authorization to release Request for Proposals (RFP) No. 10184 during the February 2010 Major Projects Committee meeting, to provide Construction Management Construction Surveying and Materials Testing Services for the North Milliken Avenue Grade Separation Project in the City of Ontario. **Garry Cohoe**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 11, 2010. SANBAG Counsel has reviewed and approved the draft professional services agreement as to form.

Transit/Commuter Rail

16. **Victor Valley Long Distance Commuter Needs Assessment Study – Final Report** Pg. 187

Approve final report on the Victor Valley Long Distance Commuter Needs Assessment Study. **Beth Kranda**

This item was reviewed by the Mountain/Desert Committee on February 19, 2010 and unanimously recommended for approval.

Transportation Programs & Fund Administration

17. **Findings from the September and October 2009 Transportation Development Act Unmet Transit Needs Public Hearings** Pg. 193

Adopt Resolution 10004 of the San Bernardino County Transportation Commission Adoption of Unmet Transit Needs Findings for the Public Hearings held in September 2009. **Beth Kranda**

This item was reviewed by the Mountain/Desert Committee on February 19, 2010 and unanimously recommended for approval.

Consent Calendar Continued....

Transportation Programs & Fund Administration (Cont.)

18. **SANBAG's application for two Federal Transit Administration Section 5304 Rural Transit Planning Grants for a Comprehensive Operational Analysis for Mountain Area Regional Transit and a Rural Connectivity Planning Grant for rural portions of San Bernardino County** Pg. 215

Authorize staff to proceed with two grant applications for FTA Section 5304 Rural Transit Studies Grant program in an amount not to exceed \$100,000 per grant application. **Beth Kranda**

This item was reviewed by the Mountain/Desert Committee on February 19, 2010 and unanimously recommended for approval.

19. **Agreement R10188 with Caltrans for Allocation of Funds Reserved for Project Planning, Programming, and Monitoring (PPM)** Pg. 217

Approve Agreement R10188 with Caltrans for allocation to SANBAG of \$1,200,000, of Regional Share State Transportation Improvement Program (STIP) funds for PPM activities, as specified in the Financial Impact Section. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on February 17, 2010.

20. **Allocation of CMAQ and STP funds** Pg. 224

1. Approve allocation of unallocated South Coast Air Basin Congestion Mitigation and Air Quality (CMAQ) funds in the amount of \$9.5 million for the E Street sbX Bus Rapid Transit (BRT) Project and \$6.59 million for the Hunts Lane grade separation.

Approve allocation of unallocated Surface Transportation Program (STP) funds in the amounts of \$7.5 million for the La Mesa/Nisqualli Interchange and \$7.5 million for the Yucca Loma Bridge. **Ty Schuiling**

This item was reviewed and unanimously recommended for approval by the Major Projects Committee on February 11, 2010 and by the Mountain/Desert Committee on February 19, 2010.

Consent Calendar Continued....**Transportation Programs & Fund Administration (Cont.)**

21. **Contract Cancellation for Projects Impacted by the Deprogramming Action of Unobligated Surface Transportation Program (STP) and Congestion Mitigation/Air Quality (CMAQ) Funds in Response to the Federal Highway Administration's (FHWA's) Rescission Notices** Pg. 226

Approve cancellation of the following funding contracts between SANBAG and local agencies for projects impacted by the deprogramming action approved by the SANBAG Board on October 7, 2009.

1. Cancellation of Contract Number #01-036. The El Mirage Road reconstruction project. Total amount of \$1,376,000 STP.
2. Cancellation of Contract Number 01-052. The Adelanto/Auburn Jonathan paving project. Total amount of \$224,000 CMAQ.
3. Cancellation of Contract Number 01-033. The Needles Highway project, total amount of \$1,815,000 STP.
4. Cancellation of Contract Number 01-038. The National Trails project. Total amount of \$1,597,000 STP.
5. Amending RTIP Number 20040825. The Upland Metrolink station project. Total amount of \$2,777,000 CMAQ. **Wendy Li**

This item was reviewed and unanimously recommended for approval by the Plans and Programs Policy Committee on February 17, 2010 and the Mountain/Desert Committee on February 19, 2010.

22. **Allocation of Mojave Desert Air Basin (MDAB) Congestion Mitigation/Air Quality (CMAQ) Funds for Fiscal Year (FY) 2009-2010 and FY 2010-2011** Pg. 229

Approve allocation of MDAB CMAQ funds to the following projects to be delivered in federal FY 2009-2010 and FY 2010-2011:

1. The Park & Ride Expansion project at the Junction of US 395 and Joshua Street-\$508,000.
2. The Lenwood Grade Separation project- \$1,000,000.
3. The Yucca Loma-Yates Road Corridor Grade Separation project - \$1,000,000.
4. The I-15/La Mesa Operational Improvement project Phase I-\$1,200,000.
5. Synchronization of traffic signals along State Route 62-\$226,000.
6. New Victorville to Barstow transit service (from transit set-aside)-\$250,000. **Wendy Li**

This item was reviewed and unanimously recommended for approval by Mountain/Desert Policy Committee on February 19, 2010.

Consent Calendar Continued....

Transportation Programs & Fund Administration (Cont.)

- 23. Request for Proposal (RFP) for Disadvantaged Business Enterprise (DBE) Annual Goal Preparation and Additional DBE Services** Pg. 232

Authorize staff to release Request for Proposal RFP10193 for Disadvantaged Business Enterprise (DBE) Services (Attachment A).
Duane Baker

This item was reviewed and approved by the Administrative Policy Committee on February 10, 2010. SANBAG Counsel has reviewed and approved the draft RFP as to form.

- 24. Measure I Capital Improvement Plans for 2009-2010** Pg. 242

Accept the Measure I 2009-2010 Summary Report of One Year Capital Improvement Plans for Local Pass-Through Funds (See Attached). **Duane Baker**

The Measure I One Year Capital Improvement Plans were reviewed and accepted by the Major Projects Committee on February 11, 2010 and by the Mountain/Desert Committee on February 19, 2010.

- 25. Measure I Five Year Capital Improvement Plans for 2010-2015** Pg. 244

Accept the Measure I 2010-2015 Summary Report of Five Year Capital Improvement Plans for Local Pass-Through Funds (See Attached). **Duane Baker**

The Measure I Five Year Capital Improvement Plans were reviewed and accepted by the Major Projects Committee on February 11, 2010 and by the Mountain/Desert Committee on February 19, 2010.

- 26. Measure I Audits 2007-2008** Pg. 246

Accept the Measure I Summary Audit Report of Local Pass-Through Funds for the year ending June 30, 2008 for all jurisdictions except for the Cities of San Bernardino and Victorville (See Attached).
Duane Baker

This item was reviewed by the Plans and Programs Committee on February 17, 2010.

DISCUSSION ITEMS

Administrative

27. Announcement of Elections for SCAG District 6, 8 and 10 Regional Council Representatives Pg. 248

Note the date of the upcoming elections for the SCAG Regional Council District representatives on April 7, 2010 following the regularly scheduled SANBAG Board meeting. The last date for candidates to express their interest is Monday, March 8, 2010.
Duane Baker

This item has not received prior policy committee review

Regional & Quality of Life Programs

28. SANBAG Alternative Fuel Project Pg. 250

1. Receive report and provide direction on the efforts to find a substitute fleet for the SANBAG Alternative Fuel Project;
2. Approve Sole Source Agreement No. 10-120 with Gladstein, Neandross & Associates (GNA), for an amount not to exceed \$384,000 over a four-year period, for technical and administrative services with the development and implementation of the SANBAG Alternative Fuel Project, as outlined in the Financial Impact Section below; and
3. Amend the Fiscal Year (FY) 2009/2010 Budget, to increase task number 81210000, in the amount of \$80,000, funding source Department of Energy (DOE) funds, for expenses incurred by SANBAG consultants (GNA) towards the implementation of the SANBAG Alternative Fuel Project, as outlined in the Financial Impact Section below. **Michelle Kirkhoff**

An update on this project was reviewed by the Plans & Programs Committee on February 17, 2010. The approval of the agreement and budget amendment were not reviewed by the PPC at that time. The agreement was reviewed by Legal Counsel, as to form.

Discussion Items Continued....

Program Support/Council of Govts.

- 29. Selection of PFM Asset Management LLC to perform Investment Advisor Services** Pg. 258

Award Contract C10177 to PFM Asset Management LLC to provide technical advice to the staff in managing SANBAG's investment portfolio. **William Stawarski**

This item has not had prior policy committee review; however, the Administrative Committee received a briefing on the status of the selection process on February 10, 2010. SANBAG Counsel has approved contract as to form.

Transportation Programs & Fund Administration

- 30. Fiscal Year 2010/2011 Measure I Apportionment and Allocation** Pg. 270

1. Approve the apportionment and allocation of Measure I 2010-2040 funds for Fiscal Year 2010/2011 for the Cajon Pass, San Bernardino Valley and Victor Valley subareas as specified in Attachment A to this agenda item.

2. Approve a commitment of up to \$79.5 million of SANBAG's \$100 million in near-term bonding capacity under the Master Indenture Agreement to the following combination of Proposition 1B projects: I-15/I-215 (Devore) Interchange, Proposition 1B Trade Corridor Improvement Fund (TCIF) grade separation projects (Glen Helen, N. Milliken, S. Milliken, Palm, and Vineyard), I-10/Cherry and I-10/Citrus interchange projects, Valley freeway projects (I-215 Bi-County, I-10 HOV and I-215/Barton interchange), the Yucca Loma Bridge, and the Metrolink Extension Project, scheduled for late in Fiscal Year 2011/2012. This recommendation is intended as an assignment of project priorities for use of near-term bonding capacity. Specific decisions on the magnitude and timing of any bond issue will be made by the Board of Directors at a later date.

3. Direct staff to develop a policy for execution of Advance Expenditure Agreements to be returned for consideration at upcoming meetings.

4. Direct staff to develop a policy that establishes and maintains a 20% cash reserve fund for Measure I 2010-2040, with the exception of Local Street and Senior and Disabled Transit programs. **Steve Smith**

This item was reviewed and recommended for approval by the Major Projects Committee (13-2-0; Opposed: Supervisory Biane, Supervisor Gonzales) on February 11, 2010. It was reviewed and unanimously recommended for approval by the Mountain/Desert Committee on February 19, 2010. The Transportation Technical Advisory Committee provided a review of the overall apportionment concept on February 1, 2010.

Other Matters

31. Consent Calendar Items Pulled for Discussion

Items pulled from the consent calendar shall be taken under this item in the order they were presented on the calendar.

Comments from Board Members

Brief Comments from Board of Directors

Public Comment

Brief Comments by the General Public

CLOSED SESSION

Conference with Legal Counsel pursuant to
Government Code Section 54956.9(a)

San Bernardino County Flood Control District and County of San Bernardino
vs.

State of California *Ex Rel* Department of Transportation,
San Bernardino Associated Governments and San Bernardino County
Transportation Authority,
City of Upland - Case No. 37-2008-00079230-CU-CO-CTL (aka "Colonies")

and

San Bernardino County Flood Control District vs.
State of California *Ex Rel* Department of Transportation,
San Bernardino Associated Governments and San Bernardino County
Transportation Authority,

City of Rialto - Case No. 37-2009-00082535-CU-EI-CTL
(aka "Cactus Basin")

32. Consideration of Resolution No. 10-005 concerning issues related to the Colonies lawsuit in light of recent developments involving other government agencies and officials

Pg. 286

Discuss and consider approval of a resolution related to the Colonies lawsuit, **Duane Baker**

This item has been reviewed by the Legal Ad Hoc Committee.

ADJOURNMENT

Additional Information

Agency Reports/Committee Memberships

Commuter Rail Report Pg. 287

Mayor Pro Tem Patricia Gilbreath

South Coast Air Quality Management Report Pg. 290

Mayor Dennis Yates

Mobile Source Air Pollution Reduction Review Committee (MSRC)

Council Member Gwenn Norton-Perry *(no report this month)*

SCAG Committees

SCAG Regional Council Pg. 292

SCAG Policy Committees

Community, Economic and Human Development

Energy and Environment

Transportation and Communications

SANBAG Policy Committees Pg. 293

Acronym List Pg. 297

Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Meeting Procedures and Rules of Conduct

Meeting Procedures

The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

Accessibility

The SANBAG meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk's telephone number is (909) 884-8276 and office is located at 1170 W. 3rd Street, 2nd Floor, San Bernardino, CA.

Agendas – All agendas are posted at 1170 W. 3rd Street, 2nd Floor, San Bernardino at least 72 hours in advance of the meeting. Complete packages of this agenda are available for public review at the SANBAG offices and our website: www.sanbag.ca.gov. Staff reports for items may be made available upon request. For additional information call (909) 884-8276.

Agenda Actions – Items listed on both the "Consent Calendar" and "Items for Discussion" contain suggested actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken by two-thirds vote of the Board of Directors.

Closed Session Agenda Items – Consideration of closed session items *excludes* members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the Chair will announce the subject matter of the closed session. If action is taken in closed session, the Chair may report the action to the public at the conclusion of the closed session.

Public Testimony on an Item – Members of the public are afforded an opportunity to speak on any listed item. Individuals wishing to address the Board of Directors or Policy Committee Members should complete a "Request to Speak" form, provided at the rear of the meeting room, and present it to the SANBAG Clerk prior to the Board's consideration of the item. A "Request to Speak" form must be completed for *each* item when an individual wishes to speak on. When recognized by the Chair, speakers should be prepared to step forward and announce their name and address for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The Chair or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations.

The Consent Calendar is considered a single item, thus the three (3) minute rule applies. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda allowing further public comment on those items.

Agenda Times – The Board is concerned that discussion take place in a timely and efficient manner. Agendas may be prepared with estimated times for categorical areas and certain topics to be discussed. These times may vary according to the length of presentation and amount of resulting discussion on agenda items.

Public Comment – At the end of the agenda, an opportunity is also provided for members of the public to speak on any subject within the Board's authority. *Matters raised under "Public Comment" may not be acted upon at that meeting. The time limits established in "Public Testimony on any Item" still apply.*

Disruptive Conduct – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the Chair may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive conduct includes addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, or otherwise preventing the Board from conducting its meeting in an orderly manner. *Please be aware that a NO SMOKING policy has been established for meetings. Your cooperation is appreciated!*

**SANBAG General Practices for Conducting Meetings
of
Board of Directors and Policy Committees**

Basic Agenda Item Discussion.

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on "Request to Speak" forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee.
- Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.

The Vote as specified in the SANBAG Bylaws.

- Each member of the Board of Directors shall have one vote. In the absence of the official representative, the alternate shall be entitled to vote. (Board of Directors only.)
- Voting may be either by voice or roll call vote. A roll call vote shall be conducted upon the demand of five official representatives present, or at the discretion of the presiding officer.

Amendment or Substitute Motion.

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the maker of the original motion is asked if he would like to amend his motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is not addressed until after a vote on the first motion.
- Occasionally, a motion dies for lack of a second.

Call for the Question.

- At times, a member of the Board/Committee may "Call for the Question."
- Upon a "Call for the Question," the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively and at the Chair's discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

The Chair.

- At all times, meetings are conducted in accordance with the Chair's direction.
- These general practices provide guidelines for orderly conduct.
- From time-to-time circumstances require deviation from general practice.
- Deviation from general practice is at the discretion of the Board/Committee Chair.

Courtesy and Decorum.

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.



Important Things to Know for...

March 2010

SANBAG Meetings – Cancelled:

None

SANBAG Meetings – Scheduled:

Administrative Committee	Mar. 10	9 a.m.	The Super Chief
Major Projects Committee	Mar. 11	9 a.m.	The Super Chief
Commuter Rail & Transit Committee	Mar. 17	10:30 a.m.	The Super Chief
Plans and Programs Committee	Mar. 17	12 noon	The Super Chief
Mountain/Desert Committee	Mar. 26	9 a.m.	Town of Apple Valley

Other Meetings/Events:

San Bernardino County City Selection Committee	Mar. 3	Following Board Mtg.	SANBAG
San Bernardino City-County Conference	Mar. 18-19	11:30 a.m.	Lake Arrowhead Resort

For additional information, please call SANBAG at (909) 884-8276